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OFFICE OF PETITIONS

In re Application of :
Bruce A. Rogers et al :
Application No. 10/763,846 : DECISION GRANTING PETITION
Filed: January 23, 2004 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 08859-0009B :

This is a decision on the petition under 37 CFR 1.137(b), filed November 1, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an election; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Restriction Requirement of May 3, 2005, is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly since the \$510 extension of time submitted with the petition on November 1, 2006, was subsequent to the maximum period obtainable for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 3732.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions